

REMARKS

The present application includes claims 1-50. Claims 1-50 have been rejected by the Examiner. By this Amendment, claims 1, 18, 29, 38, and 47 have been amended.

Claims 1-37 and 47-50 were rejected under 35 U.S.C. § 112 ¶ 2 as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention.

Claims 47-50 were rejected under 35 U.S.C. § 102(e) as being anticipated by Wong et al., U.S. Pat. No. 6,260,021 ("Wong").

Claims 1-10, 12-24, 26-35, and 37-46 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wong in view of Rothschild et al., U.S. Pat. No. 6,678,703 ("Rothschild").

Claims 11, 25, and 36 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wong in view of Rothschild and further in view of Anderson et al., U.S. Pat. No. 6,078,925 ("Anderson").

The Applicant now turns to the rejection of claims 1-37 and 47-50 under 35 U.S.C. § 112 ¶ 2 as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. The Examiner stated that the scope intended to be covered by the term "substantially together" was unclear.

With regard to independent claims 1, 18, and 47, these claims have been amended and no longer recite the term "substantially together." Thus, the Applicant respectfully submits that the Examiner's rejection has been overcome with respect to independent claims 1, 18, and 47 and corresponding dependent claims 2-17, 19-28, and 48-50.

With regard to independent claim 29, this claim has been amended to recite "substantially together in time." Thus, the Applicant respectfully submits that the Examiner's rejection has been overcome with respect to independent claim 29 and corresponding dependent claims 30-37.

The Applicant now turns to the rejection of claims 47-50 under 35 U.S.C. § 102(e) as being anticipated by Wong. Wong generally relates to computer-based medical image distribution. As stated at col. 3, lines 18-21, Wong discloses an approach to resolve incompatibilities and lack of uniformity of access to PAC and RI systems. Beginning at col. 10, line 48, Wong discusses an object server receiving client object requests generated by a GUI from user input. The object server interprets the requests and forwards them to appropriate image and/or report interface engines. The responses from the engines are composed and transmitted to the client workstation for presentation by the GUI to the user.

Wong does not teach or suggest requesting or storing links or references to the desired image and/or report information. More particularly, Wong does not teach or suggest the image and/or report interface engines providing links to the requested image and/or report information. Rather, Wong teaches the requested image and/or report information being returned in the response from the appropriate interface engines. When a request is made by a user for image and/or report information, that image and/or report information is returned by the appropriate interface engines for display to the user. Thus, transmitting, storing, or returning links or references to the requested image and/or report information would defeat the purpose of Wong, as the image and/or report information are needed to be displayed to the user.

Independent claim 47 has been amended to draw from existing dependent claims 14-17 the concepts of storing and transmitting links to medical information and medical images. As

discussed above, Wong does not teach or suggest providing a link to medical information as recited in amended claim 47. Further, Wong does not teach or suggest providing a link to a medical image as recited in amended claim 47. Therefore, the Applicant respectfully submits that independent claim 47, and corresponding dependent claims 48-50, are in condition for allowance.

The Applicant now turns to the rejection of claims 1-10, 12-24, 26-35, and 37-46 under 35 U.S.C. § 103(a) as being unpatentable over Wong in view of Rothschild. Rothschild generally relates to medical image management. More specifically, Rothschild discusses, beginning at col. 17, line 66, storing each image at three separate locations, including the imaging center and two central data servers. As stated at col. 8, lines 22-29, Rothschild provides a medical image management system that pushes electronic records containing medical images to healthcare providers outside of a medical imaging center soon after the images are taken so that healthcare providers may view the images without need to remotely access a central image storage site. Thus, Rothschild aims to distribute and store electronic records containing medical images.

Rothschild does not teach or suggest requesting or storing links or references to the desired image and/or report information. More particularly, Rothschild does not teach or suggest the imaging center or central data servers requesting or storing links to medical images. Rather, Rothschild is designed to distribute and store the medical images themselves. Thus, requesting, transmitting, and/or storing links or references to images would defeat the purpose of Rothschild.

Similar to independent claim 47 discussed above, independent claims 1, 18, and 38 have been amended to draw from existing dependent claims 14-17 the concepts of storing and

transmitting links to medical information and medical images. As discussed above, Wong does not teach or suggest links to medical information as recited in amended claims 1, 18, and 38. Further, Wong does not teach or suggest links to a medical image as recited in amended claims 1, 18, and 38.

The Examiner states, with regard to claims 14 and 15 that Wong teaches storing links to medical information and medical images. However, the support cited by the Examiner (col. 13, lines 45-59) discusses storing information on image and report objects used for routing requests within the object infrastructure of the system. As discussed beginning at col. 11, line 17, the image objects and report objects provide uniformly defined interfaces to the underlying PAC and RI systems. Thus, what is stored are references to these infrastructure objects, not references to the medical information and/or medical images that may be stored in the underlying PAC and RI systems.

With regard to claims 16 and 17, the Examiner states that Wong teaches transmitting a link representing the location of medical information and medical images. However, the support cited by the Examiner (col. 14, lines 1-6) discusses only a URL to the image server used by a client. The URL, as noted by the Examiner, points to the image server, not to medical information or medical images. The image server, as discussed beginning at col. 7, line 10, is also referred to as the medical information server and provides for the uniform and rapid distribution of information between the first-tier systems and the third-tier systems. The third-tier systems are the clients requesting the information. The first-tier systems are the existing medical image information systems such as PAC systems. Thus, the URL to the image server used by a client does not reference medical information or medical images, but rather, it

references the medical information server from which medical information and medical images may be requested by the client.

Additionally, Rothschild does not overcome these shortcomings of Wong. In particular, Rothschild also does not teach or suggest links to medical information and links to a medical image as recited in amended claims 1, 18, and 38. Thus, neither Wong nor Rothschild, alone or in combination, teach or suggest elements of independent claims 1, 18, and 38. Therefore, the Applicant respectfully submits that independent claims 1, 18, and 38, and corresponding dependent claims 2-10, 12-17, 19-24, 26-28, and 39-46, are in condition for allowance.

With regard to independent claim 29, Wong discloses, as noted by the Examiner, retrieving of associated data. That is, an association already exists between the medical information and medical images in Wong. However, Wong does not teach or suggest creating an association between medical information and a medical image at an interface unit as recited in independent claim 29. Further, Rothschild does not overcome this shortcoming of Wong. Rothschild does not teach or suggest creating an association between medical information and a medical image at an interface unit. Rather, Rothschild, merely discloses at col. 8, lines 22-29 the transmission and storage of medical records including medical images from a medical image management system. Again, any association in Rothschild already exists and is not created at an interface unit. Thus, neither Wong nor Rothschild, alone or in combination, teach or suggest elements of independent claim 29. Therefore, the Applicant respectfully submits that independent claim 29, and corresponding dependent claims 30-35 and 37, are in condition for allowance.

The Applicant now turns to the rejection of claims 11, 25, and 36 under 35 U.S.C. § 103(a) as being unpatentable over Wong in view of Rothschild and further in view of Anderson. Anderson relates to a computer program product for database relational extenders. As disclosed beginning at col. 5, line 22, relational extenders define and implement new complex data types in a database. A relational extender essentially extends relational database tables with the new data types. As shown in Fig. 3 and discussed at col. 6, lines 26-35, Anderson may suggest storing a reference to an external file as part of a general relational extender model. As indicated at col. 8, lines 8-10, the external file contains actual object data and may reside on a file server.

However, as discussed above, the requesting, transmission, and/or storage of links to medical information and/or medical images would defeat the purpose of Wong and Rothschild. Thus, there would be no motivation to combine Anderson with Wong and Rothschild as any capability of storing a reference to an external file provided by Anderson would run counter to the purpose of Wong to provide such information or images to a client on request and Rothschild's purpose to distribute copies of images. Therefore, the Applicant respectfully submits that claims 11, 25, and 36 are in condition for allowance because the corresponding independent claims from which they depend are allowable, as discussed above.

FROM: McANDREWS, HELD, & MALLOY

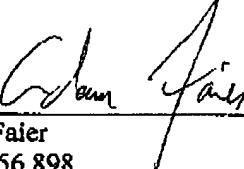
(TUE) 3.28' 06 16:59/ST. 16:54/N0. 4861050954 P 19

CONCLUSION

It is submitted that the present application is in condition for allowance and a Notice of Allowability is respectfully solicited. If the Examiner has any questions or the Applicant can be of any assistance, the Examiner is invited and encouraged to contact the Applicant at the number below.

The Commissioner is authorized to charge any necessary fees or credit any overpayment to the Deposit Account of GEMS-IT, Account No. 50-2401.

Respectfully submitted,



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Date: February 6, 2006

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